



TOWN OF CHEVERLY, MARYLAND  
MAYOR AND TOWN COUNCIL

TOWN MEETING  
December 13, 2018  
8:00PM

**AGENDA**


1. Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. Interim Town Administrator Report
  - a. Purchasing Update
  - b. Leaf Collection Status
  - c. Snow Parking Reminder
  - d. PGCMA Report
  - e. Election Information
5. Acting Chief Towers Report
6. Committee Reports
  - a. Recreation Council
  - b. Green Infrastructure Committee
  - c. Cheverly Day Committee
  - d. Planning Board Report
7. Citizen Input
8. Ethics Commission Update
9. Mayor and Council Position on Proposed Subdivision: Prince George's Business Center,  
Claybrick Road
10. Council Announcements
11. Adjournment

Next Meetings of the Mayor and Town Council

January 10, 2019	Town Meeting 8pm
January 24, 2019	Worksession 7:30pm



## MEMO

Date: December 12, 2018  
To: Mayor and Town Council  
From: David J. Deutsch   
Interim Town Administrator  
Subject: Ethics Commission Update

Mayor and Council adopted the required updates to the Ethics Ordinance at the June 14, 2018 Town Meeting. A copy of the Ordinance O-3-18 is attached. Also attached is Chapter 3 of the Town Code which is titled "Code of Ethics". (The Code has not yet been updated to reflect the passage of O-3-18 as the annual codification update is occurring at year end. Staff is checking to determine if there are cost implications for a semi-annual codification update.)

It should be noted that the Code describes the Commission as a six-member body, with one member from each Ward. You may want to consider altering the membership to an odd number to avoid the potential for tie votes.

Staff is currently verifying the status of those whose names are posted as being on the Ethics Commission. In addition, we are working closely with the Town Attorney's office to address all compliance issues in relation to State requirement. I expect all of this work will be completed no later than mid-January.

**TOWN OF CHEVERLY  
ORDINANCE O-3-18  
ETHICS ORDINANCE UPDATE**

**An Ordinance whereby the Town Council amends its ethics provisions to conform to recent updates to State law as to financial reporting and conflicts of interest.**

**WHEREAS**, Maryland Code, §§ 5-801, et seq., of the General Provisions Article requires municipal corporations to enact ethics laws and requires that the State Ethics Commission approve all municipal ethics ordinances; and

**WHEREAS**, the Maryland General Assembly enacted House Bill 879 during the 2017 legislative session, which added new laws to the Maryland Public Ethics Law and requires local governments to incorporate certain changes into their respective ethics ordinances; and

**WHEREAS**, the Council finds it necessary and in the public interest to amend Chapter 3 of the Town of Cheverly Code to comply with the State-mandated ethics code requirements

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Cheverly in regular session assembled that Chapter 3 is hereby amended as follows:

**Chapter 3 - CODE OF ETHICS**

\* \* \*

**Sec. 3-6. - Conflicts of interest and prohibitions.**

\* \* \*

(b) Unless otherwise permitted by Commission regulation or opinion or in the exercise of an administrative or ministerial duty that does not affect the disposition or decision of the matter at issue, an official or employee may not participate on behalf of the town in:

\* \* \*

(5) A former regulated lobbyist who is or becomes subject to this chapter as an employee or official, other than an elected official or an appointed official, may not participate in a case, contract, or other specific matter as an employee or official, other than an elected official or appointed official, for one calendar year after the termination of the registration of the former regulated lobbyist if the former regulated lobbyist previously assisted or represented another party for compensation in the matter.

(65) All persons subject to this chapter shall file a statement with the Commission disclosing any interest or employment, the holding of which would require disqualification from participation pursuant to section 3-6 of this chapter, as soon as possible and at least seven (7) days before such matter is scheduled to occur.

\* \* \*

(d) Post-employment limitations and restrictions.

\* \* \*

~~(2) Until the conclusion of twelve (12) months after the elected official leaves office, a former official or employee of the town~~ A former elected official may not assist or represent another party for compensation in a matter that is subject of legislative action for one calendar year after the elected official leaves office.

(f) Use of prestige of office

(1) a. An official or employee may not intentionally use the prestige of office or public position for:

1. For the private gain of that official or employee or the private gain of another; or

2. To influence, except as part of the official duties of the official or employee or as a usual and customary constituent service without additional compensation, the award of a state or local contract to a specific person.

b. An official may not directly or indirectly initiate a solicitation for a person to retain the compensated services of a particular regulated lobbyist or lobbying firm.

(2) This subsection does not prohibit the performance of usual and customary constituent services by an elected local official without additional compensation.

(3) a. An official, other than an elected official, or employee may not use public resources or the title of the official or employee to solicit a contribution as that term is defined in the Election Law Article.

b. An elected official may not use public resources to solicit a contribution as that term is defined in the Election Law Article.

\* \* \*

**Sec. 3-9. - Filing of financial disclosure statement by elected officials and candidates.**

\* \* \*

(c) The Commission or office designated by the Commission shall maintain all financial disclosure statements filed under this section. Financial disclosure statements shall be made available during normal office hours for examination and copying by the public subject to reasonable fees and administrative procedures established by the Commission.

\* \* \*

(3) For statements filed after January 1, 2019, the Commission or the office designated by the Commission may not provide public access to an individual's home address that the individual has designated as the individual's home address.

\* \* \*

(e) At a minimum the financial disclosure statement form shall contain the following information:

\* \* \*

(6) Indebtedness to entities doing business with or regulated by the individual's town unit or department.

a. A statement filed under this section shall include a schedule of all liabilities, excluding retail credit accounts, to persons doing business with or regulated by the individual's town unit or department owed at any time during the reporting period:

\* \* \*

(8) Sources of earned income

a. A statement filed under this section shall include a schedule of the name and address of each place of employment and of each business entity of which the individual or a member of the individual's immediate family was a sole or partial owner and from which the individual or member of the individual's immediate family received earned income, at any time during the reporting period.

b. A minor child's employment or business ownership need not be disclosed if the agency that employs the individual does not regulate, exercise authority over, or contract with the place of employment or business entity of the minor child.

c. For a statement filed on or after January 1, 2019, if the individual's spouse is a lobbyist regulated by the Town of Cheverly, the individual shall disclose the entity that has engaged the spouse for lobbying purposes.

\* \* \*

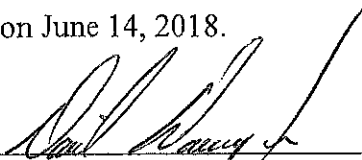
**AND BE IT FURTHER ORDAINED** that this Ordinance shall take effect 20 days from the date of its adoption;

**AND BE IT FURTHER ORDAINED** that a fair summary of this ordinance shall forthwith be published twice in a newspaper having general circulation in the Town and otherwise be made available to the public.

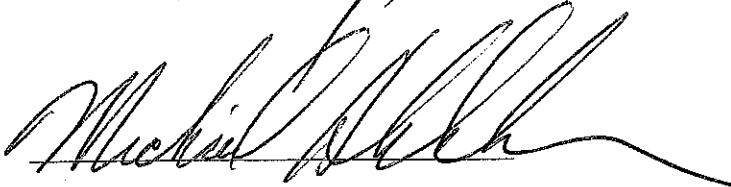
**INTRODUCED** by the Town Council of the Town of Cheverly, Maryland, at a regular public meeting on April 12, 2018.

**ADOPTED** by the Town Council of the Town of Cheverly, Maryland, at a regular public meeting on June 14, 2018.

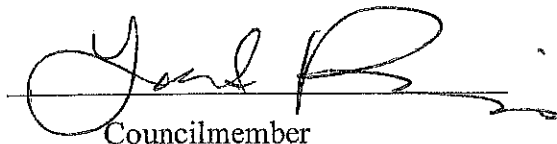
Attest:



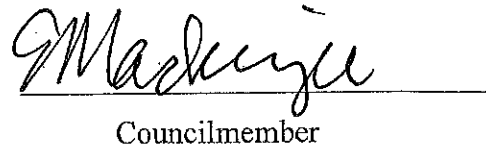
Date: June 14, 2018



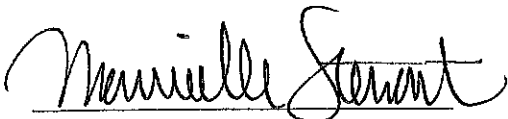
Mayor



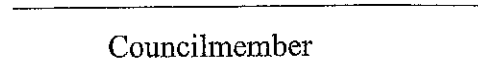
Councilmember



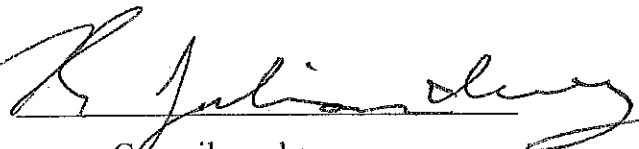
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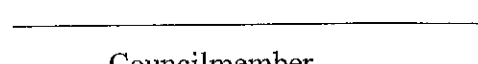
Councilmember



Councilmember



Councilmember



Councilmember

{ } indicate deletions

/BOLD/CAPS indicate additions

Asterisks \* \* \* Indicate matter retained in existing law but omitted herein

## Chapter 3 - CODE OF ETHICS

### Sec. 3-1. - Applicability.

Except as provided in § 3-9, the provisions of this chapter shall apply to the mayor, town council members, town administrator, treasurer, clerk, department heads, members of town boards and commissions, all town employees, candidates for elective town office and persons lobbying under section 3-11 before town officials, boards or commissions.

(Ord. No. O-4-12, 10-12-12)

### Sec. 3-2. - Establishment of ethics commission; responsibilities.

- (a) There shall be a town ethics commission, which shall be composed of no more than six (6) members, one (1) nominated from each ward by that ward's councilmember and approved by the mayor and council. The members of the ethics commission shall ordinarily be appointed at the June regular meeting with their tenure beginning on July 1. The tenure of each member shall be three (3) years or until a successor is appointed, whichever is longer. The commission shall be advised by the advisor to the commission who shall ordinarily be the town attorney. The advisor to the commission shall assist the commission in fulfilling its duties and powers and shall act on behalf of the commission if it is unable to do so for any reason.
- (b) Duties and powers.
  - (1) To devise, receive and maintain all forms generated by this chapter.
  - (2) To provide published advisory opinions to persons subject to this chapter as to the applicability of the provisions of this chapter or that may violate this chapter or any election finance law of the town.
  - (3) To investigate, process and make determinations as to any conduct or violations of this chapter, complaints filed by any person alleging violations of this chapter or any election finance law by persons subject to this act.
  - (4) To conduct a public information program regarding the purposes and application of this chapter.
  - (5) To adopt regulations to implement this chapter.



- (6) To act in an official capacity only when a quorum of at least three (3) members are present. If the commission is unable to assemble a quorum, the advisor to the commission shall act in their absence.
- (7) To issue subpoenas for persons and evidence and to judicially enforce such subpoenas.
- (8) The commission shall certify to the state ethics commission on or before October 1 of each year that the town is in compliance with the requirements of State Government Article, Title 15, Subtitle 8, Annotated Code of Maryland, for elected local officials.
- (9) The commission shall determine if changes to this chapter are required to be in compliance with the requirements of State Government Article, Title 15, Subtitle 8, Annotated Code of Maryland, and shall forward any recommended changes and amendments to the town council for enactment.

(Ord. No. O-4-12, 10-12-12)

Sec. 3-3. - Regulations and final orders of the commission.

- (a) The commission shall issue regulations, including, but not limited to, procedures for advisory opinions, written statements of complaints, investigations, notice to complainants and respondents, opportunity to cure, dismissal of complaints, preliminary and adjudicatory hearings, the issuance of subpoenas by the commission for witnesses and evidence, and final written orders. Such regulations shall be modeled whenever practical on any state ethics laws or regulations and must be approved by the mayor and town council.
- (b) If, after a hearing, the commission determines that a violation has occurred, the commission shall issue an order which may include, but is not limited to, any of the following:
  - (1) Direction to the respondent to cease and desist from the violation;
  - (2) A written reprimand; or
  - (3) Recommendation to the mayor and town council or appropriate authority any discipline of the respondent, including censure or removal, if that discipline is authorized by law.
- (c) The commission shall submit to the mayor and town council, the complainant and the respondent a written copy of any order issued if a violation is found.

(Ord. No. O-4-12, 10-12-12)

Sec. 3-4. - Judicial review.

- (a) If the respondent is aggrieved by a final order of the commission, the respondent may seek judicial review as provided in Title 10, Subtitle 2 of the State Government Article (Administrative Procedure Act—Contested Cases).
- (b) The order of the commission is stayed automatically until the time for seeking judicial review has expired.
- (c) The filing of a petition for judicial review does not automatically stay the enforcement of the order.

(Ord. No. O-4-12, 10-12-12)

Sec. 3-5. - Confidentiality.

- (a) Except as provided below, any investigation, written statement or complaint, including the proceedings, meetings, and activities of the commission and its staff relating to such are confidential and may not be disclosed by the commission or staff, complainant, or respondent.
- (b) Disclosures allowed:
  - (1) The commission may release any information at any time if the respondent agrees in writing to the release and the release, in the discretion of the commission, would not adversely impact any other person, business entity or entity.
  - (2) On request of the respondent, the commission at any time shall disclose the identity of the complainant to the respondent.
  - (3) If the commission, while considering a matter, finds that there are reasonable grounds to believe that a person or entity may have committed a criminal offense, the commission promptly shall refer the matter to an appropriate prosecuting authority, and the commission shall make available to the prosecuting authority all pertinent evidence under its control.
  - (4) Upon a finding of a violation, the records of the proceedings and investigation shall be public.

(Ord. No. O-4-12, 10-12-12)

Sec. 3-6. - Conflicts of interest and prohibitions.

- (a) All town elected officials, officials appointed to town boards and commissions subject to this chapter, and town employees are subject to this section.
- (b) Unless otherwise permitted by commission regulation or opinion, or in the exercise of an administrative or ministerial duty that does not affect the disposition or decision of the matter at issue, an official or employee may not participate on behalf of the town in:
  - (1) Any matter in which, to the knowledge of the official or employee, the official or employee, or a qualified relative of the official or employee has an interest.
  - (2) Any matter in which any of the following is a party:
    - a. A business entity in which the official or employee has a direct financial interest of which the official or employee may reasonably be expected to know;
    - b. A business entity for which the official, employee or, a qualified relative of the official or employee is an officer, director, trustee, partner, or employee;
    - c. A business entity with which the official or employee or, to the knowledge of the official or employee, a qualified relative is negotiating employment or has any arrangement concerning prospective employment;
    - d. If the contract reasonably could be expected to result in a conflict between the private interests of the official or employee and the official duties of the official or employee, a business entity that is a party to an existing contract with the official or employee, or which, to the knowledge of the official or employee, is a party to a contract with a qualified relative;
    - e. An entity, doing business with the town, in which a direct financial interest is owned by another entity in which the official or employee has a direct financial interest, if the official or employee may be reasonably expected to know of both direct financial interest; or
    - f. A business entity that:
      - 1.

The official or employee knows is a creditor or obligee of the official or employee or a qualified relative of the official or employee with respect to a thing of economic value; and

2. As a creditor or obligee, is in a position to directly and substantially affect the interest of the official or employee or a qualified relative of the official or employee.
- (3) A person who is disqualified from participating under paragraphs (1) or (2) of this subsection shall disclose the nature and circumstances of the conflict and may participate or act if:
    - a. The disqualification leaves a body with less than a quorum capable of acting;
    - b. The disqualified official or employee is required by law to act; or
    - c. The disqualified official or employee is the only person authorized to act.
  - (4) The prohibitions of paragraph (1) and (2) of this subsection do not apply if participation is allowed by regulation or opinion of the commission.
  - (5) All persons subject to this chapter shall file a statement with the commission disclosing any interest or employment, the holding of which would require disqualification from participation pursuant section 3-6 of this chapter, as soon as possible and at least seven (7) days before such matter is scheduled to occur.
- (c) Employment and financial interest restrictions.
- (1) Except as permitted by regulation of the commission when the interest is disclosed or when the employment does not create a conflict of interest or appearance of conflict, an official or employee may not:
    - a. Be employed by or have a financial interest in any entity:
      1. Subject to the authority of the official or employee or the town agency, board, commission with which the official or employee is affiliated; or
      2. That is negotiating or has entered a contract with the agency, board, or commission with which the official or employee is affiliated; or
    - b. Hold any other employment relationship that would impair the

impartiality or independence of judgment of the official or employee.

(2) This prohibition does not apply to:

- a. An official or employee who is appointed to a regulatory or licensing authority pursuant to a statutory requirement that person subject to the jurisdiction of the authority be represented in appointments to the authority;
- b. Subject to other provisions of law, a member of a board or commission in regard to a financial interest or employment held at the time of appointment, provided the financial interest or employment is publicly disclosed to the appointing authority and the commission;
- c. An official or employee whose duties are ministerial, if the private employment or financial interest does not create a conflict of interest or the appearance of a conflict of interest, as permitted by and in accordance with regulations adopted by the commission; or
- d. Employment or financial interests allowed by regulation of the commission if the employment does not create a conflict of interest or the appearance of a conflict of interest or the financial interest is disclosed.

(d) Post-employment limitations and restrictions.

- (1) A former official or employee may not assist or represent any party other than the town for compensation in a case, contract, or other specific matter involving the town if that matter is one in which the former official or employee significantly participated as an official or employee.
- (2) Until the conclusion of twelve (12) months after the elected official leaves office, a former official or employee of the town may not assist or represent another party for compensation in a matter that is subject of legislative action.

(e) Contingent compensation. Except in a judicial or quasi-judicial proceeding, an official or employee may not assist or represent a party for contingent compensation in any matter before or involving the town.

(f) Use of prestige of office.

(1)

An official or employee may not intentionally use the prestige of office or public position for the private gain of that official or employee or the private gain of another.

- (2) This subsection does not prohibit the performance of usual and customary constituent services by an elected local official without additional compensation.

(Ord. No. O-4-12, 10-12-12)

Sec. 3-7. - Solicitation and/or acceptance of gifts.

- (a) An official or employee may not solicit any gift.
- (b) An official or employee may not directly solicit or facilitate the solicitation of a gift, on behalf of another person, from an individual regulated lobbyist.
- (c) An official or employee may not knowingly accept a gift, directly or indirectly, from a person that the official or employee knows or has the reason to know:
  - (1) Is doing business with or seeking to do business with the town office, agency, boards, or commission with which the official or employee is affiliated;
  - (2) Has financial interests that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of the official duties of the official or employee;
  - (3) Is engaged in an activity regulated or controlled by the official's or employee's governmental unit; or
  - (4) Is a lobbyist with respect to matters within the jurisdiction of the official or employee.
- (d) Paragraph (e) of this section does not apply to a gift:
  - (1) That would tend to impair the impartiality and the independence of judgment of the official or employee receiving the gift;
  - (2) Of significant value that would give the appearance of impairing the impartiality and independence of judgment of the official or employee; or
  - (3) Of significant value that the recipient official or employee believes or has reason to believe is designed to impair the impartiality and independence of judgment of the official or employee.
- (e) Notwithstanding paragraphs (a) through (c) of this section, an official or employee

may accept the following:

- (1) Meals and beverages consumed in the presence of the donor or sponsoring entity;
  - (2) Ceremonial gifts or awards that have insignificant monetary value;
  - (3) Unsolicited gifts or nominal value that do not exceed twenty dollars (\$20.00) in cost or trivial items of informational value;
  - (4) Reasonable expenses for food, travel, lodging, and scheduled entertainment of the official or the employee at a meeting which is given in return for the participation of the official or employee in a panel or speaking engagement at the meeting;
  - (5) Gifts of tickets or free admission extended to an elected local official to attend a charitable, cultural, or political event, if the purpose of this gift or admission is a courtesy or ceremony extended to the elected official's office;
  - (6) A specific gift or class of gifts that the commission exempts from the operation of this subsection upon a finding, in writing, that acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of the business of the town and that the gift is purely personal and private in nature;
  - (7) Gifts from a person related to the official or employee by blood or marriage, or any other individual who is a member of the household of the official or employee; or
  - (8) Honoraria for speaking to or participating in a meeting, provided that the offering of the honorarium is not related in any way to the official's or employee's official position.
- (f) Disclosure of confidential information. Other than in the discharge of official duties, an official or employee may not disclose or use confidential information, that the official or employee acquired by reason of the official's or employee's public position and that is not available to the public, for the economic benefit of the official or employee or that of another person.
- (g) Participation in procurement. An individual or a person that employs an individual who assists a town agency in the drafting of specifications, an invitation for bids, or a request for proposals for a procurement may not submit a bid or proposal for that procurement or assist or represent another person, directly or indirectly, who

is submitting a bid or proposal for the procurement. The commission may establish exemptions from the requirements of this section for providing descriptive literature, sole source procurements, and written comments solicited by the procuring agency.

- (h) Use of equipment or personnel. An official or employee may not allow, permit or facilitate the unauthorized use of town-owned facilities, vehicles, equipment, materials or personnel for private matters or profit.

(Ord. No. O-4-12, 10-12-12)

#### Sec. 3-8. - Exemption or modification of provisions.

The commission or, if appropriate, the council may, after consultation with the town attorney grant exemptions to or modifications of this chapter as to persons subject to this chapter where it finds that the application of this chapter would constitute an unreasonable invasion of privacy or otherwise constitute an unreasonable hardship and would significantly reduce the availability of qualified persons for public service and if it also finds that the exemption or modification would not be contrary to the purposes of this chapter.

(Ord. No. O-4-12, 10-12-12)

#### Sec. 3-9. - Filing of financial disclosure statement by elected officials and candidates.

- (a) This section applies to all town elected officials and candidates for town elections. Except as provided in subsection (b) of this section, a local elected official or a candidate to be a local elected official shall file the financial disclosure statement required under this section:

- (1) On a form provided by the commission;
- (2) Under oath or affirmation;
- (3) With the commission; and
- (4) Deadlines for filing statements.

- a. An incumbent local elected official shall file a financial disclosure statement annually no later than April 30 of each year for the preceding calendar year.

- b.



An individual who is appointed to fill a vacancy in an office for which a financial disclosure statement is required and who has not already filed a financial disclosure statement shall file a statement for the preceding calendar year within thirty (30) days after appointment.

- c. An individual who, other than by reason of death, leaves an office for which a statement is required shall file a statement within sixty (60) days after leaving the office. The statement shall cover:
  1. The calendar year immediately preceding the year in which the individual left office, unless a statement covering that year has already been filed by the individual; and
  2. The portion of the current calendar year during which the individual had the office.

(b) Candidates to be local elected officials. Except for an official who has filed a financial disclosure statement under another provision of this section for the reporting period, a candidate to be an elected local official shall file a financial disclosure statement each year beginning with the year in which the certificate of candidacy is filed through the year of the election.

(1) A candidate to be an elected local official shall file a statement required under this section:

- a. In the year the certificate of candidacy is filed, no later than the filing of the certificate of candidacy;
- b. In the year of the election, on or before the earlier of April 30 or the last day of the withdrawal of candidacy; and
- c. In all other years for which a statement is required, on or before April 30.

(2) A candidate to be an elected official:

- a. May file the statement required under subsection 3-9(b)(1)b. and c. of this chapter with the town clerk or board of election supervisors with the certificate of candidacy or with the commission prior to filing the certificate of candidacy; and
- b. Shall file the statements required under subsection 3-9(b)(1)b. and c. with the commission.

(3)

If a candidate fails to file a statement required by this section after written notice is provided by the town clerk or board of election supervisors at least twenty (20) days before the last day for the withdrawal of candidacy, the candidate is deemed to have withdrawn the candidacy.

- (4) The town clerk or board election supervisors may not accept any certificate of candidacy unless a statement has been filed in proper form.
  - (5) Within thirty (30) days of the receipt of a statement required under this section, the town clerk or board of election supervisors shall forward the statement to the commission or the office designated by the commission.
- (c) The commission or office designated by the commission shall maintain all financial disclosure statements filed under this section. Financial disclosure statements shall be made available during normal office hours for examination and copying by the public subject to reasonable fees and administrative procedures established by the commission.
  - (1) If an individual examines or copies a financial disclosure statement, the commission or the office designated by the commission shall record:
    - a. The name and home address of the individual reviewing or copying the statement; and
    - b. The name of the person whose financial disclosure statement was examined or copied.
  - (2) Upon request by the official or employee whose financial disclosure statement was examined or copied, the commission or the office designated by the commission shall provide the official with a copy of the name and home address of the person who reviewed the official's financial disclosure statement.
- (d) The commission or the office designated by the commission shall retain financial disclosure statements for four (4) years from the date of receipt.
- (e) At a minimum the financial disclosure statement form shall contain the following information:
  - (1) Interests in real property.
    - a. A statement filed under this section shall include a schedule of all interests in real property wherever located.
    - b. For each interest in real property, the schedule shall include:

1. The nature of the property and the location by street address, mailing address, or legal description of the property;
2. The nature and extent of the interest held, including any conditions and encumbrances on the interest;
3. The date when, the manner in which, and the identity of the person from whom the interest was acquired;
4. The nature and amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired;
5. If any interest was transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and the identity of the person to whom the interest was transferred; and
6. The identity of any other person with an interest in the property.

(2) Interests in corporations and partnerships.

- a. A statement filed under this section shall include a schedule of all interests in any corporation, partnership, limited liability partnership, or limited liability corporation, regardless of whether the corporation or partnership does business with the town.
- b. For each interest reported under this paragraph, the schedule shall include:
  1. The name and address of the principal office of the corporation, partnership, limited liability partnership, or limited liability corporation;
  2. The nature and amount of the interest held, including any conditions and encumbrances on the interest;
  3. With respect to any interest transferred in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and, if known, the identity of the person to whom the interest was transferred; and
  4. With respect to any interest acquired during the reporting period:

- i. The date when, the manner in which, and the identity of the person from whom the interest was acquired; and
    - ii. The nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.
  - c. An individual may satisfy the requirement to report the amount of the interest held under item (2)b. of this paragraph by reporting, instead of a dollar amount:
    - 1. For an equity interest in a corporation, the number of shares held and, unless the corporation's stock is publicly traded, the percentage of equity interest held; or
    - 2. For an equity interest in a partnership, the percentage of equity interest held.
- (3) Interests in business entities doing business with the town.
- a. A statement filed under this section shall include a schedule of all interests in any business entity that does business with the town, other than interests reported under paragraph (2) of this subsection.
  - b. For each interest reported under this paragraph, the schedule shall include:
    - 1. The name and address of the principal office of the business entity;
    - 2. The nature and amount of the interest held, including any conditions to and encumbrances in the interest;
    - 3. With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received in exchange for the interest, and, if known, the identity of the person to whom the interest was transferred; and
    - 4. With respect to any interest acquired during the reporting period:
      - i. The date when, the manner in which, and the identity of the person from whom the interest was acquired; and
      - ii.

The nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.

(4) Gifts.

- a. A statement filed under this section shall include a schedule of each gift in excess of twenty dollars (\$20.00) in value or a series of gifts totaling one hundred dollars (\$100.00) or more received during the reporting period from or on behalf of, directly or indirectly, any one (1) person who does business with or is regulated by the town.
- b. For each gift reported, the schedule shall include:
  1. A description of the nature and value of the gift; and
  2. The identity of the person from whom, or on behalf of whom, directly or indirectly, the gift was received.

(5) Employment with or interests in entities doing business with the town.

- a. A statement filed under this section shall include a schedule of all offices, directorships, and salaried employment by the individual or member of the immediate family of the individual held at any time during the reporting period with entities doing business with the town.
- b. For each position reported under this paragraph, the schedule shall include:
  1. The name and address of the principal office of the business entity;
  2. The title and nature of the office, directorship, or salaried employment held and the date it commenced; and
  3. The name of each town agency with which the entity is involved.

(6) Indebtedness to entities doing business with town.

- a. A statement filed under this section shall include a schedule of all liabilities, excluding retail credit accounts, to persons doing business with the town owed at any time during the reporting period:
  1. By the individual; or
  2. By a member of the immediate family of the individual if the individual was involved in the transaction giving rise to the liability.

- b. For each liability reported under this paragraph, the schedule shall include:
  - 1. The identity of the person to whom the liability was owed and the date the liability was incurred;
  - 2. The amount of the liability owed as of the end of the reporting period;
  - 3. The terms of payment of the liability and the extent to which the principal amount of the liability was increased or reduced during the year; and
  - 4. The security given, if any, for the liability.
- (7) A statement filed under this section shall include a schedule of the immediate family members of the individual employed by the town in any capacity at any time during the reporting period.
- (8) Sources of earned income.
  - a. A statement filed under this section shall include a schedule of the name and address of each place of employment and of each business entity of which the individual or a member of the individual's immediate family was a sole or partial owner and from which the individual or member of the individual's immediate family received earned income, at any time during the reporting period.
  - b. A minor child's employment or business ownership need not be disclosed if the agency that employs the individual does not regulate, exercise authority over, or contract with the place of employment or business entity of the minor child.
- (9) A statement filed under this section may also include a schedule of additional interests or information that the individual making the statement wishes to disclose.
- (f) For the purposes of this section, the following interests are considered to be the interests of the individual making the statement:
  - (1) An interest held by a member of the individual's immediate family, if the interest was, at any time during the reporting period, directly or indirectly controlled by the individual.
  - (2) An interest held by a business entity in which the individual held a thirty (30)

§ 3-11. - Filing of registration statement; contents.

- (a) Any person who personally appears before any town official or employee with the intent to influence that person in performance of his official duties and who, in connection with such intent, expends or reasonably expects to expend in a given calendar year in excess of one hundred dollars (\$100.00) on food, entertainment or other gifts for such official shall file a registration statement with the commission no later than January 15 of that calendar year or within five (5) days after first making such appearances.
- (b) The registration statement, which shall be filed annually, shall include complete identification of the registrant and of any other person on whose behalf the registrant acts. It shall also identify the subject matter on which the registrant proposes to make such appearances.
- (c) Registrants under this section shall file a report within thirty (30) days after the end of any calendar year during which they were registered, disclosing the value, date and nature of any food, entertainment or other gift provided to a town official or employee. Where a gift or series of gifts to a single official or employee exceeds one hundred dollars (\$100.00) in value, the official or employee shall also be identified.

(Ord. No. O-4-12, 10-12-12)

§ 3-12. - All disclosure statements to be filed with commission and open to public inspection.

All statements of disclosure required by this chapter shall be filed with the commission and shall be available for public inspection and copying at the town office during normal business hours. The town clerk shall be the custodian of all records of the commission.

(Ord. No. O-4-12, 10-12-12)

§ 3-13. - Definitions.

In this chapter the following words have the meanings indicated:

*Business entity.* Any corporation, limited liability company, general or limited partnership, sole proprietorship (including a private consulting operation), joint venture, unincorporated association or firm, institution, trust, foundation or other organization, whether organized for profit or not.

*Children.* All biological and adopted children, stepchildren, wards, foster children, regardless of age.

*Town.* The Town of Cheverly.

*Commission.* The ethics commission of the Town of Cheverly.

*Complainant.* A person who files a written statement with the ethics commission alleging a violation of any of the provisions of this chapter or chapter 8 of this Code.

*Employee.* A person hired and compensated to perform work for the town under the direct supervision of the town. The independent contractors the town may contract with, such as the town attorney, auditors, architects, engineers, etc., are not employees.

*Employer.* An entity that pays or agrees to pay compensation to another entity for services rendered.

*Family member:*

- (1) Any brother, sister, parent, child, spouse or domestic partner of a person subject to this chapter, or
- (2) One who is related to a person subject to this chapter by blood, marriage, other legal arrangement (guardian, domestic partner) or adoption is a member of the person's household.

*Financial interest:*

- (1) Ownership of an interest resulting in the receipt or entitlement of more than one hundred dollars (\$100.00) within the past three (3) years, currently or in the future; or
- (2) Ownership of more than three (3) percent of a business entity by a town official or employee or his/her spouse.

*Gift.* Except as specified in subsection (b) of this section, the transfer of anything of economic value, regardless of form, without adequate and lawful consideration. "Gift" shall not include acceptance or the receipt of political contributions for an election campaign.

*Interest:*

- (1)



A legal or equitable economic interest, whether or not subject to an encumbrance or condition, that is owned or held wholly or partly, jointly or severally, or directly or indirectly.

(2) "Interest" shall not include:

- a. An interest held in the capacity of agent, custodian, fiduciary, personal representative or trustee, unless the holder has an equitable interest in the subject matter;
- b. An interest in a time or demand deposit in a financial institution;
- c. An interest in an insurance policy, endowment policy, or annuity contract by which an insurer promises to pay a fixed amount of money in a lump sum; or
- d. A common trust fund or a trust fund that forms part of a pension or a profit-sharing plan that:
  1. Has more than twenty-five (25) participants; and
  2. Is determined by the Internal Revenue Service to be a qualified trust under § 401 or § 501 of the Internal Revenue Code.

*Household.* Sharing a person's legal residence.

*Respondent.* Any person named in a written statement filed with a complaint or initiated by the commission alleging a violation by such person of any of the provisions of this chapter or chapter 8 of this Code.

*Qualified relative.* A parent, child, sibling or spouse for use in the participation restrictions of the conflict of interest provisions.

(Ord. No. O-4-12, 10-12-12)

§ 3-14. - Enforcement; violations and penalties.

(a) The commission may:

- (1) Assess a late fee of two dollars (\$2.00) per day up to a maximum of two hundred fifty dollars (\$250.00) for a failure to timely file a financial disclosure statement required under sections 3-6, 3-7 or 3-9 of this chapter;

(2)

Assess a late fee of ten dollars (\$10.00) per day up to a maximum of two hundred fifty dollars (\$250.00) for a failure to file a timely lobbyist registration or lobbyist report required under section 3-11 of this chapter; and

- (3) Issue a cease and desist order against any person found to be in violation of this chapter.
- (b) Upon a finding of a violation of any provision of this chapter, the commission may:
  - (1) Issue an order of compliance directing the respondent to cease and desist from the violation;
  - (2) Issue a reprimand; or
  - (3) Recommend to the appropriate authority other appropriate discipline of the respondent, including censure or removal if that discipline is authorized by law.
- (c) If the commission finds that a respondent has violated section 3-11 of this chapter, the commission may:
  - (1) Require a respondent who is a registered lobbyist to file any additional reports or information that reasonably related to the information that is required under section 3-10 of this chapter;
  - (2) Impose a fine not exceeding five thousand dollars (\$5,000.00) for each violation; and
  - (3) Suspend the registration of an individual registered lobbyist if the commission finds that the lobbyist has knowingly and willfully violated section 3-11 of this chapter or has been convicted of a criminal offense arising from lobbying activities.
- (d) Upon request of the commission, the town attorney may file a petition for injunctive or other relief in the Circuit Court for Prince George's County, or in any other court having proper venue for the purpose of requiring compliance with the provisions of this chapter.
- (e) The court may:
  - (1) Issue an order to cease and desist from the violation;
  - (2) Except as provided in subparagraph (4) of this paragraph, void an official action taken by an official or employee with a conflict of interest prohibited by this chapter when the action arises from or concerns the subject matter of

the conflict and if the legal action is brought within ninety (90) days of the occurrence of the official action, if the court deems voiding the action to be in the best interest of the public;

- (3) Impose a fine of up to five thousand dollars (\$5,000.00) for any violation of the provisions of this chapter, with each day upon which the violation occurs constituting a separate offense.
- (4) A court may not void any official action appropriating public funds, levying taxes, or providing for the issuance of bonds, notes, or other evidences of public obligations.
- (f) In addition to any other enforcement provisions in this chapter, a person who the commission or a court finds has violated this chapter:
  - (1) Is subject to termination or other disciplinary action; and
  - (2) May be suspended from receiving payment of salary or other compensation pending full compliance with the terms of an order of the commission or a court.
- (g) A town official or employee found to have violated this chapter is subject to disciplinary or other appropriate personnel action, including removal from office, disciplinary action, suspension of salary, or other sanction.
- (h) Violation of section 3-11 of this chapter shall be a misdemeanor subject to a fine of up to ten thousand dollars (\$10,000.00) or imprisonment of up to one (1) year.
- (i) A finding of a violation of this chapter by the commission is public information.
- (j) The mayor and town council shall have the authority to take action against any town official upon the commission's finding a violation by the official, including, but not limited to, censure, fine, refusal to seat a member and removal.

(Ord. No. O-4-12, 10-12-12)



# CHEVERLY POLICE DEPARTMENT

## Memo

**To:** Town Administrator, Mayor and Council  
**From:** Chief of Police  
**Date:** December 13, 2018  
**Re:** Crime Report for November 2018

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Find attached:

- ☒ 2018 Crime Stats
- ☒ Monthly Report of Calls Handled
- ☒ Monthly Summary of Reports Written

	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007
JAN	11	24	16	16	16	17	21	20	14	20	28	30
FEB	14	6	21	9	13	22	15	24	27	21	20	23
MAR	17	10	18	12	16	11	12	25	23	15	29	33
APR	16	21	11	9	17	22	9	24	25	18	30	31
MAY	30	18	14	17	23	20	13	31	22	20	36	27
JUN	16	23	25	16	9	18	11	24	20	22	29	25
JUL	12	20	11	24	20	13	12	25	21	34	23	31
AUG	13	34	15	23	24	29	16	24	19	25	27	33
SEP	21	16	10	25	22	17	22	16	24	27	25	22
OCT	24	22	10	21	11	15	25	21	31	32	24	28
NOV	16	11	13	13	17	18	10	15	48	26	30	38
DEC		30	21	27	28	23	28	18	19	17	39	23
TOTALS	190	235	185	212	216	225	194	267	293	277	340	344

**2018****CHEVERLY POLICE DEPARTMENT STATISTICS****CRIME STATS**

	YEAR TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
ARSON	0	0	0	0	0	0	0	0	0	0	0	0	0
ASSAULT	28	1	1	4	4	2	1	1	2	5	3	4	0
AUTO THEFT	6	1	1	1	0	1	0	1	0	0	0	1	0
BURGLARY (B&E)	21	3	0	1	4	3	0	1	3	1	3	2	0
CAR-JACKING	2	0	0	0	0	0	1	0	0	1	0	0	0
HOMICIDE	0	0	0	0	0	0	0	0	0	0	0	0	0
KIDNAPPING	0	0	0	0	0	0	0	0	0	0	0	0	0
ROBBERY	12	0	1	1	1	5	2	2	0	0	0	0	0
SEX OFFENSE	1	0	0	1	0	0	0	0	0	0	0	0	0
THEFT (includes Fraud)	102	6	7	9	5	16	11	6	5	12	17	8	0
VANDALISM	18	0	4	0	2	3	1	1	3	2	1	1	0
	190	11	14	17	16	30	16	12	13	21	24	16	0
IDENTITY THEFT	5	0	0	1	0	1	0	0	1	0	0	2	0
Use of Force Incident	9	1	1	2	1	0	0	0	1	1	1	1	0

Adult - ARRESTS	278	13	18	28	18	31	27	25	25	29	40	24	0
Juvenile - ARRESTS	7	0	1	1	0	1	0	0	1	2	0	1	0
WARRANTS	98	6	11	10	10	5	7	11	11	6	12	9	0
(Criminal/Civil) CITATIONS	58	1	5	3	7	10	6	5	3	5	6	7	0
DUI / DWI	62	5	4	6	4	5	10	7	5	5	4	7	0
EPS	6	0	0	3	0	0	2	0	0	1	0	0	0
(Field Observation Report) FOR	88	14	13	12	13	13	12	4	0	2	1	4	0

STATE TRAFFIC CITATIONS	1839	150	105	165	196	181	177	141	218	194	143	169	0
WARNINGS	2703	133	139	219	241	199	199	262	415	326	291	279	0
SERO (Equip Repair Order)	242	26	33	43	49	29	8	11	8	0	17	18	0
TOWN PARKING TICKETS	238	55	26	45	26	8	14	18	8	13	7	18	0
HOUSE CHECKS	1757	161	110	136	101	51	121	193	350	223	175	136	0
ELDER WATCH CHECKS	83	1	5	2	23	16	6	6	12	1	11	0	0
REPORTS WRITTEN	587	33	30	57	51	84	56	60	51	48	63	54	

**CODE ENFORCEMENT**

Notices of Violation	495	17	22	25	57	112	55	10	56	84	46	11	0
Municipal Infractions	118	12	15	14	1	4	9	17	8	21	9	8	0
Home Rental Inspections	137	2	3	2	2	0	5	2	2	58	40	21	0
Apt. Rental Inspections	154	28	0	0	0	0	1	0	1	0	2	122	0

Cheverly Police Department  
CALLS FOR SERVICE TOTALS

11/1/2018

To

12/1/2018

Incident Type	Total
911 DISCONNECT	25
ACCIDENT	24
ADDED INFORMATION	1
ANIMAL COMPLAINT	3
ARMED PERSON	4
ASSAULT	2
ASSAULT COMBINED	1
ASSIST	1
ASSIST FIRE EMS	1
BREAK IN IN PROGRESS	6
BREAK IN REPORT	2
CHECK WELFARE	4
CHECK WELFARE COMBINED	1
CHECK WELFARE MENTAL	1
CHECK WELFARE VIOLEN	1
CPR COMBINED	1
DEPT ACCIDENT PD	1
DEPT ACCIDENT FD COMBINED	1
DISORDERLY	12
DOMESTIC	6
FALRMC	1
FAMILY DISPUTE	2
FOUND	4
FRAUD	1
HIT AND RUN	3
HIT AND RUN W/INJURY COMBINED	1
HOLD UP ALARM	2
IMPOUND	1
LOCK OUT IN	2
LOST PROPERTY	1
MISC POLICE INCIDENT	15
MISSING PERSON	5
OPEN DOOR WINDOW	1
OVERDOSE ALS COMBINED	1
PREMISE CHECK	6

PROPERTY ALARM	1
PROPERTY ALARM COMMERCIAL	9
RESIDENTIAL ALARM	13
SHOOTING COMBINED	1
SHOPLIFTING	1
SIGNAL 100	1
STOLEN VEH	3
SUBJECT STOP	7
SUSPICIOUS AUTO	2
SUSPICIOUS OCC AUTO	16
SUSPICIOUS PERSON	4
THEFT FROM AUTO	3
THEFT J O	3
THEFT REPORT	10
TRAFFIC COMPLAINT	9
TRAFFIC HAZARD	5
TRESPASSING COMPL	2
UNKNOWN TROUBLE	8
VANDALISM	1
VEHICLE ACCIDENT	1
VEHICLE ACCIDENT COMBINED	8
WARRANT SERVICE	2
Total Calls-->	254

**CHEVERLY POLICE DEPARTMENT  
Case Reports Written**

**11/1/2018**

To

**12/1/2018**

Date	Time	Case No	Subject	Disposition	Workflow Stage	ID
11/01/2018	10:47	18-0065966	FRAUD	Active	Work-Complete	1687
11/01/2018	13:01	18-0065988	Fraud Report	Active	Work-Complete	1702
11/02/2018	13:00	18-0064800	B&E Report	Active	Work-Complete	1702
11/02/2018	21:36	18-0066328	DUI/ DWI Arrest	Arrest	Work-Complete	1704
11/03/2018	14:44	18-0066449	Marijuana <10 grams	Not a Crime/Other Service	Work-Complete	1705
11/06/2018	10:19	18-0066985	STOLEN VEH	Active	Work-Complete	1687
11/06/2018	14:00	18-0067020	OPEN DOOR WINDOW	Not a Crime/Other Service	Work-Complete	1687
11/07/2018	08:04	18-0067154	Traffic Arrest (Juvenile)	Arrest	Work-Complete	1687
11/07/2018	22:20	18-0067312	Identity Theft	Active	Work-Complete	1694
11/08/2018	23:25	18-0067550	Marijuana >10 grams	Arrest	Work-Complete	1705
11/09/2018	00:01	18-0067552	Possession of Marijuana	Not a Crime/Other Service	Work-Complete	1674
11/09/2018	10:38	18-0067642	MISC POLICE INCIDENT	Not a Crime/Other Service	Work-Complete	1673
11/09/2018	15:30	18-0067698	MISC POLICE INCIDENT	Not a Crime/Other Service	Work-Complete	1710
11/09/2018	22:14	18-0067752	MISSING PERSON	Not a Crime/Other Service	Work-Complete	1705
11/09/2018	22:55	18-0067746	DUI/ DWI	Arrest	Work-Complete	1674
11/10/2018	09:43	18-0067830	THEFT FROM AUTO	Active	Work-Complete	1687
11/10/2018	20:21	18-0067912	DUI Arrest	Arrest	Work-Complete	1694
11/12/2018	02:05	18-0068127	Traffic Stop Led to DUI	Arrest	Work-Complete	1694
11/12/2018	12:14	18-0068203	Poss-CDS-Marijuana (<10 grams)	Not a Crime/Other Service	Work-Complete	1687
11/14/2018	02:35	18-0068546	Theft from Auto arrest x2	Arrest	Work-Complete	1705
11/14/2018	09:19	18-0068595	THEFT FROM AUTO	Active	Work-Complete	1710
11/15/2018	02:03	18-0068793	Criminal Citation	Criminal Citation / Summons	Work-Complete	1705
11/15/2018	17:03	18-0068916	Tree Fell Damaging Powerlines	Not a Crime/Other Service	Work-Complete	1694
11/16/2018	13:30	18-0069056	Found Property	Not a Crime/Other Service	Work-Complete	1702
11/16/2018	15:19	18-0069085	Burglary (Residential)	Active	Work-Complete	1687
11/17/2018	02:19	18-0069200	Vehicle Fire w/ DUI Arrest	Arrest	Work-Complete	1704
11/17/2018	03:07	18-0069211	Found child placed by CPS	Active	Work-Complete	1694
11/17/2018	09:11	18-0069242	THEFT REPORT	Active	Work-Complete	1710
11/17/2018	18:25	18-0069335	ANIMAL COMPLAINT	Not a Crime/Other Service	Work-Complete	1705
11/17/2018	19:15	18-0069339	OVERDOSE ALS COMBINED	Not a Crime/Other Service	Work-Complete	1705
11/18/2018	16:33	18-0069495	THEFT FROM MOTOR VEHICLE	Active	Work-Complete	1710
11/19/2018	09:28	18-0069631	LOST PROPERTY	Not a Crime/Other Service	Work-Complete	1710
11/19/2018	16:22	18-0069725	BREAK IN IN PROGRESS	Active	Start	1710
11/19/2018	16:22	18-0069725	BREAK IN IN PROGRESS	Active	Work-Complete	1710
11/19/2018	19:00	18-0069085	Burglary (Residential)	Active	Work-Complete	1705
11/20/2018	21:15	18-0070004	CDS Poss Marijuana	Active	CHVP Records	1687
11/20/2018	23:11	18-0070021	DUI Arrest	Arrest	Work-Complete	1687
11/21/2018	02:52	18-0070044	Subject Stop Led to CDS recovered,	Not a Crime/Other Service	Work-Complete	1694
11/21/2018	14:01	18-0070143	FOUND	Not a Crime/Other Service	Work-Complete	1673
11/21/2018	18:48	18-0070200	Trespassing / Assault	Arrest	Work-Complete	1687
11/22/2018	10:34	18-0070307	Vehicle Damaged	Active	Officer	1694
11/23/2018	00:06	18-0070384	DUI/Warrant	Arrest	Work-Complete	1705
11/25/2018	05:08	18-0070756	THEFT FROM AUTO Arrest	Arrest	Work-Complete	1674
11/25/2018	23:20	18-0070902	Poss-CDS-Marijuana u/10 grams	Not a Crime/Other Service	Work-Complete	1687
11/26/2018	15:38	18-0071031	THEFT REPORT	Active	Work-Complete	1673
11/26/2018	18:35	18-0069085	Burglary (Residential)	Active	Work-Complete	1687
11/28/2018	02:59	18-0071382	Recovered stolen Auto	Not a Crime/Other Service	Work-Complete	1705
11/28/2018	17:07	18-0071514	MISC POLICE INCIDENT	Not a Crime/Other Service	Work-Complete	1673

11/28/2018	20:02	18-0071559	Domestic Assault	Arrest	CHVP Records	1705
11/29/2018	17:48	18-0071732	THEFT REPORT	Active	Work-Complete	1704
11/30/2018	10:23	18-0071874	Identity Theft	Active	CHVP Records	1694
11/30/2018	12:07	18-0071928	Domestic Assault Arrest	Arrest	CHVP Records	1694
11/30/2018	21:59	18-0072023	Field Ops / Safekeeping	Not a Crime/Other Service	Work-Complete	1687
11/30/2018	23:36	18-0072037	Assault	Exception	Officer	1687